

IN ALL THE COURTS

The Dazzling Blazer Wants a Writ of Habeas Corpus.

DAMAGES FOR WRONG TELEGRAMS

A Legal Gentleman Filed for the Illegal Appropriation of Goods—Police Court Items.

In the case of *Maid Johnson vs. the Rio Grande Western Railway company*, Judge Miner delivered the opinion of the court. In this case the plaintiff sued to recover damages on account of the killing of a mare belonging to him by a Rio Grande Western train in 1889, and obtained a judgment. That judgment was affirmed.

Chief Justice Zane handed down the opinion in the case of *Martha Cooke vs. M. E. Randall et al.* The plaintiff brought this action to recover the value of a wagon seized by the defendant Randall as collector of Springfield, to pay taxes alleged to have been due the municipality. The plaintiff insisted that the farm, upon which the taxes were assessed, was situated outside of the town as indicated by its improvements and beyond the range of its municipal benefits. The case was submitted to a jury, who returned a verdict against the defendant for the \$100, which the court set aside upon motion. From this order the defendant appealed. The court found that the farm in question was within the corporate limits of Springfield and within a mile of the platted portion of the town; that there is a street running as far south as the plaintiff's property; that the police have exercised their authority near the farm in question and made arrests. From these facts, the court inferred that the plaintiff received benefit from the expenditures of money arising from municipal taxes, and the case did not come within the rule laid down in the case of *the territory vs. Daniels*. The judgment appealed from was therefore affirmed.

In the case of *Cynthia E. Jones vs. Jane Monmouth*, Judge Miner delivered the opinion of the court. This case involves the ownership of a lot in Payson. At the trial the plaintiff offered to any evidence being introduced, on the ground that the allegations of the complaint were insufficient, and the court sustained the objection. The supreme court set aside this order and ordered a new trial.

In the matter of the charge of misconduct against Attorney J. D. Lomax, David Evans, who was instructed in April last to prepare and file more specific charges, stated that he had been unable to attend to the matter before, but had now prepared the charges which were filed with the court.

In the case of *Reilly vs. Driggs et al.*, a remittitur was ordered.

The case of *Nelson vs. Braken*, involving \$400 commission on a real estate transaction, was submitted on briefs.

The case of *R. H. Slater vs. W. E. Crage*, involving the ownership of certain springs in Weber county, was argued and submitted.

E. O. Lee, of Illinois, was admitted to practice.

The Blazer habeas corpus proceeding was then taken up. It will be remembered that some time ago Chas. L. Blazer, an alleged Omaha capitalist and manager of the Don Carlos Lumber company, came to this city and obtained from the Utah National bank about \$180 as advances in drafts on the Don Carlos Lumber company. These drafts were not paid, and Blazer was arrested on the charge of obtaining money under false pretenses. He was tried a short time ago and convicted, and his attorneys, Schroeder and Hamilton, then made application for a writ of habeas corpus. The defense submitted the matter on briefs, to which Mr. Varian demurred. He stated that the application showed upon its face that the defendant was indicted, tried and convicted. The object of the petition was to have the court determine as to the sufficiency of the indictment, to look into the evidence and determine whether the defendant should not be discharged because of alleged error in admitting testimony. Mr. Varian said this proceeding took the place of a motion for a new trial or arrest of judgment. There was no ground for this proceeding, because the whole matter was pending in a court having jurisdiction. The case was then submitted and taken under advisement.

In the afternoon the case of *A. W. Wertz vs. the Western Union Telegraph company* came up. It is alleged that in March 7, 1890, the plaintiff delivered to the defendant for transmission to George H. Storer, of Eagle Rock, Idaho, a message reading "I will give one thousand cash, bail six months." On this account the plaintiff was deprived of making the profits on a purchase of real estate, and the damages were assessed at \$1,500. Negligence or carelessness on the telegraph company's part was denied.

At the trial in the district court at Ogden in September, 1890, the jury rendered a verdict for Mr. Wertz in the sum of \$1,500. Subsequently a motion for a new trial was granted the respondent, and it was contended by the appellant that in this the court erred.

The question put forward on the other side was whether the matter of damages should have been left by the trial judge to the jury under proper instructions or whether, under the circumstances, the trial judge should have fixed the amount of damages and peremptorily directed the jury to render a verdict for that amount. It was conceded on the trial that the plaintiff was entitled to some damages, viz: 35 cents, and the judge directed a verdict therefor against the protest of the plaintiff, who wished the case submitted to the jury, and plaintiff duly expected. The court below granted a motion for a new trial, and the appeal from that order.

The case of *Hans C. Anderson vs. the Ogden Union Railway Depot company* was argued and submitted, and the court then adjourned until this morning at 10 o'clock.

Commissioner's Court.

A very singular case came up for investigation before Commissioner Norrell yesterday.

Some time ago J. H. Kerty, a well-known resident of Leadville, came this city and engaged a room in the building of the Utah Store and Hardware company, on First South street. Some two months ago he went off to the mines on business, leaving his clothing, mining stock and numerous articles of value in a large trunk in his room. He returned to this city a short time ago, and when he went to his room he found that the trunk and its contents had disappeared. The matter was reported to Deputy Marshal Cannon, who discovered that a short time after Mr. Kerty left the city J. J. Cushman, a young attorney, who had an office in the building where Mr. Kerty roomed, had had the trunk removed to his room on Third South street. Further investigation showed that the disciple of Blackstone had sold the clothing to a second hand dealer for \$5 and had disposed of a fine pair of opera glasses and a revolver to a broker for \$10. The rest of the goods could not be traced, but upon these facts the officers arrested Cushman yesterday morning upon the charge of grand larceny. The defendant was taken to the station, but Judge McDonald, who prosecuted, insisted upon an investigation. When the facts above stated were brought out, Mr. Kerty fixing the value of the stolen property, including a lot of mining stock, at about \$1,000, no defense was offered and Cushman was held to await the action of the grand jury, and in default of bonds was taken out to the penitentiary last evening. Cushman claims that he received the trunk from a man named Johnson, in payment of a debt, but little credit is attached to this statement.

Police Pickings.

In the police court yesterday Albert Darling was fined \$15 for fast and reckless driving.

William Griffith and Joseph Carpenter were sent up for ten days each for stealing rides on the Union Pacific.

C. A. Johnson was fined \$10 for using abusive language to a policeman. The fourteen prostitutes arrested on Monday night were fined \$25 each.

Charles Fied, charged with fighting, forfeited \$30.

Jessie Fullbright, charged with disturbing the peace, will be tried to-day.

Al. Matthews, known as the "Fighting Coon," was sent up for fifteen days for disturbing the peace.

In the Probate Court.

Estate of John S. Barnes; claim of \$300 allowed.

Estate and guardianship of Paralee K. Pitts et al., minors; annual account allowed.

Estate of John Scott; order on appointing Barlow Ferguson administrator upon filing a bond in the sum of \$2,400.

Estate and guardianship of Joseph L. M. Graham et al., minors; Friday, July 19, to hear petition for order to sell real estate.

Estate and guardianship of Leo Hawkins et al., minors; order fixing June 30, 1891, to hear petition for letters of guardianship.

Estate of Mary Ann Lenzi; bond of administrator in \$300 approved.

Estate of Samuel P. Leoni; bond of administrator in the sum of \$300 approved.

On Monday night Dominick Morris, who keeps a restaurant opposite the post office, discovered that some \$200 containing \$300 had been stolen from the money drawer. The theft was reported to the police, and Charles Mauphin, a waiter employed at the restaurant, was suspected of being the thief. Yesterday two officers went out to his residence, and when Mauphin saw them he was observed to quickly put something under the bed, and this proved to be the stolen purse, although there was no money in it. The waiter was arrested on the charge of grand larceny, and will have a hearing before Judge Leacy to-day.

William Martin was arrested last night for striking E. J. Solomon over the head with a beer bottle.

THE TEACHERS' LEAGUE.

Programme of Exercises to be Held on Saturday Next.

Section 1.—1. Class drill in primary geography. Mrs. Nelson; 2. discussion of method, members; 3. teaching of morals, Miss Larson; 4. discussion, members.

Sec. 2.—1. how should the penmanship chart be used as a practical aid to teaching? Mr. Kinney; 2. outline of arithmetic work in fourth grade; (a) manner of instruction; (b) conduct of recitation, Mr. Keeler.

Sec. 3.—1. teaching of history in sixth grade; paper, Miss Blackburn; 2. discussion of paper, members; 3. history and geography, their relation, Mrs. Wood.

Sec. 4.—1. public days in school, how often; 2. exercises, benefits accruing, Mr. Worstell; 2. discussion, Mrs. Straup and others; 3. civil government taught orally, Miss Carney; 4. discussion, Mr. Collins and others.

General Work.—1. class in pedagogy; work continued, Mr. McCord; 2. preparation for recitation by pupils, continued; (a) when should collateral references be made, along with the text study or after text study has been learned? Mr. Watson; (b) can a class of twenty pupils learn more in less than twenty minutes than can be recited in as many minutes? Miss Pomeroy; (c) in general what explanation of a new lesson should a teacher make before its preparation by the class? Mr. Work; (d) if a lesson is to be written—as, for example, a history or geography lesson—should it be done before or after the study, or as part of the preparation? Way! Later.

J. F. MILLSPATCH, Chairman.

Mrs. S. R. ROGERS, Secretary.

ELLERBECK-CLAWSON.

A Pleasant Wedding at the Residence of H. B. Clawson.

Last evening Mr. George M. Ellerbeck and Miss Winnie Clawson were united in the bonds of holy wedlock at the residence of the bride's father, Hiram H. Clawson.

At the reception, which was held after the ceremony the house was crowded by the many fashionable friends of the bride. The house was magnificently decorated, and the housewifery was in the highest sense well.

The presents were numerous and costly and were both tasty and useful. A partial list would be as follows:

From the groom for the bride, a handsome diamond necklace.

Mrs. J. Foote presented the bride with a lock of her own hair cut from her head when she was five years old.

The Phoenix club, a fine carving set.

Mr. and Mrs. A. B. Dunford, handsome clock.

T. C. Patten and W. H. Lawrence, handsome parlor stand lamp.

Mr. and Mrs. Frank Beattie and Mr. and Mrs. Fred Clawson, beautiful polished marble clock.

Mr. and Mrs. T. W. Ellerbeck, upholstered mahogany parlor set.

The sisters and brothers of the bride, sixteenth century dining room set.

Mrs. Fred Clawson and Miss Edith Dinwoody, upholstered parlor rocking chair.

Mr. and Mrs. James Foote, upholstered parlor rocking chair.

Dr. Benedict and family, Royal Worcester platter.

Mr. and Mrs. Roundy, fancy Royal Worcester jug.

Mr. and Mrs. Karkick, silver soup tureen and ladle.

Mrs. L. A. Clayton, silver water pitcher.

B. M. Ellerbeck, carving set and dress.

Etta, May and Thomas Ellerbeck, silver tea set.

Mr. and Mrs. W. Spence, silver cake basket.

John L. and Mamie Sprague, dozen Ostrich coffee spoons.

Mrs. Luna Gardner, hand painted china cake dish.

Sisters and brothers of groom, silver crumb tray and scrape.

LOCAL AND OTHER BRIEFS.

FLOWER day was quite appropriately celebrated at the pen.

This *Deseret Record* will hereafter be known as the *West Side Record*.

In the race yesterday between Riley K. and Jim McCord at the Driving park, Riley K. came out winner.

THERE are messages at the Western Union telegraph office for M. J. Smith, Miss Francis Newell, George Conzatter, Mrs. Harriet M. Spencer, Mrs. Hester Engelhard, R. P. Lewis.

In accordance with the agreement between Retail Clerks' Union No. 37 and the merchants of this city, all clothing, boots and shoes and furniture, furnishings, etc., at \$2.00, except Saturday, and on after Monday, June 10.

SUNDAY evening the night watchman discovered flames in an office in the rear end of the Girard building, over Wallace & Co.'s tailor shop. He succeeded in forcing an entrance into the room and was a little effort extinguished the flames. A small pan with a lot of rage soaked in coal oil was the cause of the flames, which naturally led to the belief that there was an incendiary attempt to burn the building. An effort has been made to hush the matter up and in the absence of any explanation as to how the mysterious coal oil pan came to be placed in the room it is difficult to get at the facts.

The Grand Temple of Utah and Wyoming has been in session in this city at Temple of Honor hall, over Deseret bank building, this city, Monday and Tuesday, the 8th and 9th inst. Three sessions were held. Considerable business of importance to the order was transacted. Representatives from Almy, Wyoming, were in attendance, and a royal time was had. The following officers for the ensuing year were elected and installed: G. W. T. G. H. Knowlton; G. W. V. T. J. W. Samson; G. W. R. W. B. Woods; G. W. T. C. L. Ray; G. W. R. U. J. James Morgan; G. W. G. G. J. Spencer; G. W. Chap. W. T. Harris. Committees were also appointed: on credentials, finance, laws and resolutions, state of the order and appeals. P. G. W. T. H. F. Clark was appointed representative to the supreme council, which meets in the east in August next.

THE WORLD'S FAIR

The Commission to Go Abroad is Selected.

MAXWELL'S FATE IS UNDECIDED.

President Palmer Objects to California Mixing Liquor and Religious Matters—France Preparing for Her Exhibit.

WASHINGTON, June 9.—Director General Davis, of the World's fair, said to-night, the following named persons would go abroad as members of the commission in the interest of foreign exhibits: Hon. Thomas W. Waller will be president; M. H. Handy, Hon. Carl Schurz, ex-Senator from Louisiana, and probably Hon. Benjamin Butterworth. A sixth person, a Chicago man, will also be appointed. Chief lives, of the art bureau, will also be sent abroad.

Maxwell's Fate Undecided.

CHICAGO, June 9.—The talk for and against the confirmation of Maxwell as chief of the horticultural bureau kept a couple of directors busy to-day. The California state commission advocated Maxwell's cause and the gentleman himself entered the lists personally. The opposition was voiced principally by a committee of the American Association of Nurserymen. The latter asserted Maxwell represented the wine and citrus fruit interests and implied that he was disposed to slight other departments of horticulture. Maxwell's fate is expected to be settled to-morrow.

The California state commissioners are held before the ways and means committee to construct a building similar to the old mission, and obtain the privilege of displaying and selling fruits, wines and other products of a perishable nature. They represented they did not desire to enter into a lucrative business, but simply to conduct a club, which would pay the expenses of continually replenishing the display. The committee was informed the matter would have to be settled the same as the other privileges, by the payment of a percentage of receipts for sales. The use of the state building was a matter for the state commissioners. If they wished to run a restaurant or sale attachment, it would have to come under the rules governing other such privileges. The commissioners regarded this as a sacrifice, for this mission scheme has caused a great deal of comment in fair circles. "I should think," said President Palmer, "that the mixture of a religious feature and liquor traffic would cause a great deal of comment among church people. I am sure I should condemn it, and I am not over sensitive on such matters."

Drowned in Delaware River.

CAMDEN, N. J., June 9.—The body of a pretty young woman was found floating in Delaware river above the street ferry landing to-day. The only clue to the unfortunate woman's identity was a pocket book picked up on the wharf containing a receipted millinery bill in the name of Blanche Humphrey.

Later in the day it was learned that a dead hand on the ferry boat recognized the body as that of a girl he saw on the boat last night, accompanied by two men, Mrs. Coleman, residing near the river, states near midnight she heard a scream and a female voice cry out, "For God's sake, don't," and then heard a splash.

Later—to night it was learned her name was Carrie Burroughs and that she had been working for a milliner. Nothing is known about her.

ROWLAND HALL CONCERT.

A Delightful Programme Rendered and Prizes Awarded.

The annual commencement of Rowland hall was held at that institution last evening. The programme rendered is as follows:

Vocal Chorus.

a. Rise Again, Glad Summer Sun—Smart.

b. O Beautiful Violet—March and Solo.

Piano Quartet—March and Solo.

1st Piano, Misses Jessie and Lulu Bradshaw.

2nd Piano, Misses Jessie and Lulu Bradshaw.

Violin Solo—Mrs. L. S. Lomax and Misses.

Piano Solo—Mrs. L. S. Lomax and Misses.

Vocal Solo—Miss Carrie Humphries.

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a. O Happy Day—Goetze.

b. Beautiful Song—Gounod.

Piano Duo—Miss Louise Hoge.

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a. Gaiety—Pirani.

b. Gaiety—Pirani.

1st Piano, Miss Edith Chandler.

2nd Piano, Miss Edith Chandler.

Vocal Duo—Brethren of Night—Gounod.

Misses Carrie Williams and Ella Thomas.

Piano Solo—Miss Edith Chandler.

a. Loin Du Bal—Gillet.

b. Die Spieldose—Gillet.

Children's choruses.

a. Marching Song—Grieg.

b. Summer song—Grieg.

c. Fairy song—Grieg.

Vocal solo—Miss Edith Chandler.

Piano solo—Miss Edith Chandler.

Vocal solo—Miss Edith Chandler.

Piano quartet, "Hungarian Dance," No. 1.

1st and 2nd piano, Misses Watson and Lister.

Second piano, Misses Chandler and Plumb.

Vocal quartet, "The Maid of the Mill," Gounod.

(With violin obligato by Miss Lucy Whitall).

Piano solo—Miss Edith Chandler.

a. "Scherezade"—Schubert.

b. "Scherezade"—Schubert.

Choral trios.

a. "Goodnight"—Henry Smart.

b. "Goodnight"—Henry Smart.

With obligato by Misses Jessie Jennings, Karlis and Roundy.

All the pieces were very well rendered, showing excellent training. At the end of the exhibition a prize for artistic work was given to Miss Carrie Humphreys; a medal for instrumental music to Miss Alma Plumb; and a medal for vocal music to Miss Genevieve Jennings.

The exhibition of the pupils shows very good work on their part.

WHAT CAME OF A FRIENDLY SUGGESTION.

Wm. Douglas of Payson was long unit for business; carried his life like a burden on his back. Kidney and liver complaints, caused by imprudence, were his enemies. One day his friend, Mr. Cleghorn, superintendent Z. C. M. I. Drug Department, said, "Douglas, try Dr. David Kennedy's Favorite Remedy of Roundout, N. Y." He did so, and now Mr. Douglas is as sound as the silver dollar which he bought the medicine. All our druggists keep Favorite Remedy.

A SURE CURE FOR PILES.

Itching Piles are known by moisture like perspiration, causing intense itching when warm. This form as well as Blind, Bleeding and protruding, yield at once to Dr. Bosanko's Pile Remedy, which acts directly on the parts affected, absorbs tumors, allays itching and effects a permanent cure. 50c. druggists or mail; circular free. Dr. Bosanko, 229 Arch St., Philadelphia, Pa. Sold by Z. C. M. I. Drug Store.

SPRING FEVER.

At this season of the year the most vigorous and healthy people often have a feeling of weariness, tired and worn out, with out ambition to do anything, and many break out in pimples and boils. What you require is a mild tonic medicine that will set gently on the liver and blood, and for this nothing equals Dr. Gunn's Improved Liver Pills. They give an activity to the liver, purify the blood, and by their mild tonic action, give new vitality and strength to the entire system. Sold at 25 cents a box by druggists.

TAKE A POLICY.

In the old reliable, "North America," of Philadelphia. Assets over \$3,000,000.

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J. F. GRANT, Manager.

DEEP CREEK STAGE

Runs from Stockton to Dugway every day except Sunday. Passengers leave Salt Lake city 8 a. m. and arrive at Dugway same night at 12 o'clock.

PRICE'S Flavoring Extracts

NATURAL FRUIT FLAVORS.

Vanilla } Of perfect purity.
Lemon } Of great strength.
Orange } Economy in their use
Almond } Flavor as delicately
Rose etc. } and deliciously as the fresh fruit.

Health is Wealth!

Dr. E. C. WEST'S NERVE AND BRAIN TONIC

Is a guaranteed specific for Hysteria, Dizziness, Convulsions, Fits, Nervous Neuralgia, Headache, Nervous Prostration, caused by the use of alcohol or tobacco, Watkiss, Menstrual Depression, Retention of the Menstrua, resulting in insanity and leading to misery, decay and death. Preserves the system and restores the system of the brain. Each box contains one month's treatment, \$1.00 a box, or six boxes \$5.00, sent by mail prepaid on receipt of price.

WE GUARANTEE SIX BOXES

To cure any case. With each order received by us for six bottles, accompanied with \$5.00, we will send the purchaser a written guarantee to refund the money if the treatment does not effect a cure. Guarantees issued only by JOHN R. PRATT & CO.

Druggists, Sole Agents, 48 Main street, Salt Lake City, Utah.

A QUARTER OF A CENTURY

There is no man who has since become identified with the resources and development of that country. This man is no other than Mr. John Stewart, one of the wealthiest and most influential citizens in the country. In a recent letter he says: "I had been suffering some time in my back and general aching complaint for some time, and had used many remedies without any temporary relief. The matter was brought to my attention by a friend, through a friend, of the wonderful cures effected by Oregon Kidney Tea, I was induced to try a box, and from that first dose I found instant relief, and before using half the contents of the box the pains in my back entirely disappeared. I have every faith in the virtues of the Oregon Kidney Tea, and can conscientiously recommend it to my friends. I would not be without it for Oregon Kidney Tea cures backache, inflammation of urine, brick dust sediment, burning of painful sensation while urinating, and all affections of the kidney or urinary organs of either sex."

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